

SUPPLEMENTAL SICK LEAVE PLAN FAQs

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SUPPLEMENTAL SICK LEAVE PLAN FAQs

Q. What is supplemental sick leave?

A. Supplemental sick leave is additional sick leave donated by state employees to state employees in a SEA Bargaining Unit through an application to the Labor Management Committee.

Supplemental sick leave will only be granted for emergent serious or life-threatening illnesses, injuries, impairments, or mental or physical conditions that have caused, or are likely to cause, the employee to take leave without pay provided appropriate medical information is provided. Supplemental sick leave will not be granted for common, minor or chronic illnesses, injuries, impairments or physical or mental conditions.

Q. What is the process for requesting supplemental sick leave?

A. An employee or designee requesting supplemental sick leave must complete an Application for Supplemental Sick Leave. No third party recommendations or requests will be considered. There are three (3) parts to the Application:

- The employee or designee who is requesting the supplemental sick leave must complete **Part I.**
- The requesting employee's physician or medical practitioner must complete **Part II.**
- **Part III** must be completed by the Appointing Authority (or designee) and Human Resources for whom the requesting employee works.

To be considered for supplemental sick leave, the enclosed forms must be filled out completely and forwarded through the agency human resources office to:

Bureau of Employee Relations
Division of Personnel
28 School Street
Concord, NH 03301

Q. Does an employee need to use all forms of paid leave before requesting supplemental sick leave?

A. No, however; an employee must exhaust all paid leave prior to receiving supplemental sick leave. Paid leave includes sick leave, annual leave, floating holidays, bonus days, and compensatory time.

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Q. Who approves a request for supplemental sick leave?

A. Applications for supplemental sick leave are reviewed and approved/denied by the Labor Management Committee. The Labor Management Committee is comprised of representatives from both of the State Negotiating Committee and the SEA's Master Bargaining Team. The Committee meets bi-weekly or monthly, depending upon the number of supplemental leave requests received and the need to address other responsibilities as set forth in the Collective Bargaining Agreement. The Committee reviews all requests to determine whether the request for Supplemental Sick Leave will be granted, and if so, to determine the appropriate number of days and notifies the requesting agency and employee of its decision by letter. If the request is not approved, the employer will issue a decision on behalf of the LMC. The decision may include a brief explanation. While there are no appeals of decisions reached, nothing prevents the employee from reapplication.

Q. What is the process for collecting leave donations from state employees?

A. The requesting agency may begin soliciting leave donations after the Labor Management Committee has issued an approval. The agency must publish the name of the employee who has been granted supplemental leave, along with a general statement indicating that this employee has a serious medical condition that has been approved for supplemental sick leave donations. Confidential information regarding the nature of the employee's medical condition shall not be released.

Q. How does an employee donate sick time?

A. Employees who wish to donate sick leave shall notify their agency Human Resource office and indicate the type of leave and reason for the leave - "donated to employee's name."

Q. Does donating supplemental sick leave affect bonus leave accrual?

A. No. Article 11.9(e) states that contributed sick leave does not count against bonus leave time accumulations.

Q. What happens if an employee doesn't use up all of their donated supplemental sick leave?

A. Unused supplemental sick leave remains part of the requesting employee's leave balance and is not returned to the employee who donated it. The employee may

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use this extra supplemental sick leave if the medical condition reoccurs or additional medical treatment becomes necessary.

Q. Does the state pay off unused supplemental sick leave upon retirement?

A. No. Donated supplemental sick leave is not included in any leave payoff calculation due to the employee's retirement.

Q. What happens to unused supplemental sick leave in the event of the employee's death?

A. Donated supplemental sick leave remaining on the books at the time of the employee's death is allowed to lapse and is not included in any payment made to the employee's estate.

Q. Does an employee accrue other types of leave while on supplemental sick leave?

A. Yes. An employee is considered to be on active status when on supplemental sick leave (as opposed to leave of absence without pay) and is entitled to accrue annual leave, sick leave, and floating holidays.

Q. Does an employee need to use leave accrued while on supplemental sick leave first, before using donated supplemental sick leave?

A. No. An employee may continue to use donated sick leave prior to using any additional leave accrued while on supplemental leave.

Q. Can an employee in one agency donate leave to an employee in another agency?

Q. Yes. The human resources representatives in both agencies involved can coordinate this. (See your agency Human Resource representative). Please note that both employees must be in an SEA represented bargaining unit.

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Q. What happens if extra leave is donated?

A. If leave donations are received in excess of the amount approved by the Labor Management Committee, Human Resources will notify the employees who donated the excess leave and it will not be deducted from their leave balance.

Q. What happens if an agency cannot solicit enough leave donations to cover the amount approved by the Labor Management Committee?

A. The agency human resources representative may contact the Labor Management Committee, and the Committee will determine on a case-by-case basis whether assistance in soliciting donations is appropriate.

Q. Can employees re-apply for supplemental sick leave? What is the process for re-applying?

A. Yes. An employee may re-apply for supplemental sick leave. The employee must complete a new application form, including up-to-date medical documentation, and submit the application to the Labor Management Committee for review.

Q. Can employees apply for supplemental sick leave if the medical condition is work-related?

A. No. The proper process to follow in the event of a work-related medical condition is to contact the agency Human Resources Office for information on how to file a workers' compensation claim.